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17 United States District Court
18 Northern District of California, San Jose Division

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13 VERIGY U.S. INC., a Delaware corporation) Case No. 5:07-cv-04330 (RMW) (HRL)
14)
15) **Declaration of Kevin M. Pasquinelli in Support**
16) **of Defendant's Administrative Motion for Leave**
17) **to File Exhibit C to the Letter Brief re: Motion**
18) **to Compel Disk Drive Discovery Under Seal**
19)
20) Judge: Hon. Howard R. Lloyd
21) Ctrm: 2
22)
23) Complaint filed: August 22, 2007
24) Trial Date: None Set
25)
26)
27)
28)

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1 I, Kevin M. Pasquinelli, declare as follows:

2 1. I am an attorney licensed to practice law before the courts of the State of California. I am an
3 associate with the law firm of Mount & Stoelker, P.C. I have personal knowledge of the fact set forth
4 in this declaration, and if called to do so, I could and would competently testify thereto.

5 2. I submit this declaration in support of Defendant's Administrative Motion for Leave to File
6 Exhibit C to the Letter Brief re: Motion to Compel Disk Drive Discovery Under seal.

7 3. I have reviewed Exhibit C to the Letter Brief regarding the motion to compel discovery of
8 Defendants disk drives.

9 4. I have determined that the Exhibit contains information previously designated as "Highly
10 Confidential – Attorney Eyes Only" by Plaintiffs under the stipulated protective order. (Defendants
11 reserve the right to challenge such designations pursuant to the Stipulated Protective Order).

12 5. I am informed and believe that Verigy (Plaintiff) contends that its confidentiality interest of
13 overcomes the right of public access to the record, and that a substantial probability exists that the
14 parties' overriding confidentiality interest will be prejudiced if the record is not sealed. Further,
15 Verigy contends that the proposed sealing is narrowly tailored and no less restrictive means exist to
16 achieve this overriding interest.

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct and that this declaration was executed this 22nd day of October, 2007 in
19 San Jose, California.

20 _____/s/_____

21 Kevin M. Pasquinelli